IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6605 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KANTILAL AMRUTLAL THAKKAR

Versus

STATE OF GUJARAT

Appearance:

MR RA MISHRA for Petitioner

Mr. KC Shah AGP for Respondent No. 1

NOTICE SERVED for Respondent No. 2, 3

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 18/02/2000

ORAL JUDGEMENT

Learned advocate Mr. Mishra is appearing for the petitioner while Mr. Shah, the learned AGP is appearing for the first respondent herein. In this petition, the

petitioner has challenged the order dated 14th September, 1988 whereunder the petitioner was placed under suspension and order dated 21st September, 1988 whereunder his head quarters have been fixed at Mehsana during the period of suspension. This Court, while admitting this petition, has granted the ad interim order against the execution and operation of the order dated 14th September, 1988 and dated 21st September, 1988. However, this Court, while granting the interim order, has observed that it will be open for the respondents to transfer the petitioner at any other place by order dated 3rd December, 1988.

In the present petition, the petitioner has challenged the order of suspension and change of his head quarter. Mr. R.A. Mishra, the learned advocate appearing for the petitioner has pointed out that in view of the passage of time, this petition has become infructuous and as such, same is required to be disposed of as having become infructuous. In view of the said statement made by Mr. Mishra, this petition is disposed of as having become infructuous with a liberty to the petitioner to apply in case of difficulty by filing mere note. Rule is discharged. As interim relief granted earlier shall stand vacated. There shall be no order as to costs.

18.2.2000. (H.K.Rathod,J.)

Vyas